



APPROVED  
BY THE CITY COUNCIL

MAR 31 1998

OFFICE OF THE  
CITY CLERK

AG 98-012

1.10

DEPARTMENT OF  
NEIGHBORHOODS, PLANNING AND  
DEVELOPMENT

CITY OF SACRAMENTO  
CALIFORNIA

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SACRAMENTO, CA  
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March 25, 1998

City Council  
Sacramento, California

Honorable Members In Session:

**SUBJECT:** CARL'S JR. DRIVE-THRU (P97-059)

A. Agreement to pay SNCIF Fees.

**LOCATION:** SE corner of West El Camino Ave. / Gateway Oaks Dr.  
APN: 225-1010-012  
South Natomas Community Plan Area; Council District 1

**RECOMMENDATION:** Planning Staff recommends that the City Council adopt the attached Resolution which executes an agreement that the applicant shall pay exaction fees into the South Natomas Community Infrastructure Fund account.

**CONTACT PERSON:** Scot Mende, Senior Planner 264-5894

**FOR CITY COUNCIL MEETING OF:** March 31, 1998 (afternoon)

**SUMMARY:** The subject entitlements for a drive-through restaurant were approved by the City Council on January 13, 1998. A condition of approval required the applicant to enter into a legal agreement to pay fees. The attached Resolution satisfies that condition.

**BACKGROUND:** The project is within the Metropolitan Center PUD. The project area had been required, by development agreement, to pay SNCIF fees. At the time that the South Natomas Facilities Benefit Assessment District was formed, areas under development agreement were excluded from the District. In January 1993, the development agreement expired. In-lieu of annexing the property into the FBA District, projects have been conditioned to enter into an agreement to pay SNCIF fees at the FBA rate.


**ENVIRONMENTAL REVIEW:** The Environmental Services Manager determined that the proposed action does not constitute a project and is exempt from CEQA review.

**FINANCIAL CONSIDERATIONS:** As a condition of the Special Permit, the applicant has agreed to pay into the South Natomas Community Infrastructure Fund in lieu of the Facilities Benefit Assessment District. The attached Resolution directs the City Manager to execute this agreement. The fee, to be paid at building permit, shall be in the amount of approximately \$11,468.

**POLICY CONSIDERATIONS:** The proposed action is consistent with City policy to require all South Natomas developments to pay fees towards community projects (primarily transportation improvements).

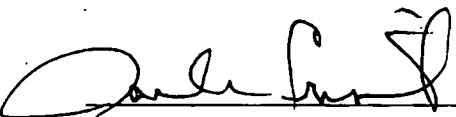
**MBE/WBE EFFORTS:** None.

Respectfully submitted,

  
GARY L. STONEHOUSE  
Planning Director

FOR CITY COUNCIL INFORMATION:  
WILLIAM H. EDGAR  
CITY MANAGER

APPROVED:

  
JACK CRIST  
Deputy City Manager

**RESOLUTION NO. 98-095**

**APPROVED**  
BY THE CITY COUNCIL

ADOPTED BY THE SACRAMENTO CITY COUNCIL

**MAR 31 1998**

OFFICE OF THE  
CITY CLERK

ON DATE OF \_\_\_\_\_

**A RESOLUTION RELATING TO THE APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF SACRAMENTO AND CARL KARCHER ENTERPRISES, INC. TO ACCEPT PAYMENT OF SOUTH NATOMAS COMMUNITY INFRASTRUCTURE FUND FEES IN-LIEU OF A REQUIREMENT FOR ANNEXATION TO THE SOUTH NATOMAS FACILITIES BENEFIT ASSESSMENT DISTRICT FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF WEST EL CAMINO AVENUE AND GATEWAY OAKS DRIVE (P97-059) (APN: 225-1010-012)**

WHEREAS, the City Planning Commission approved a Special Permit for the Carl's Jr., and the City Council, on a call-up, upheld the special permit but added a condition on the Carl's Jr. restaurant calling for the property owner to enter into an agreement with the City, in a form satisfactory to the City Attorney, which sets forth the property owner's obligations to pay, prior to issuance of any building permit, the sum of approximately \$11,468 (3,050 square feet @ \$3.76 per gross square foot of building structure) to be deposited into the SNCIF fund, which payment is in-lieu of a requirement that the applicant annex the 0.84± acres of property to the South Natomas FBA;

WHEREAS, the City Attorney has negotiated with the property owner and approved as to form the Agreement attached as Exhibit A.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO THAT:

The City Manager is hereby authorized to execute and direct the City Clerk to record said Agreement on behalf of the City of Sacramento. This approval and authorization is based upon the condition of Special Permit adopted by the City Council on January 13, 1998.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

RESOLUTION NO.: \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_